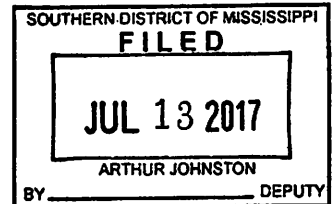


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION



UNITED STATES OF AMERICA : Crim. No. 2:16-cr-00007-KS-MTP
v : Appeal No. 17-60274
 : Hon. Keith Starrett
 :
Charles Bolton and Linda Bolton :
 :

STATEMENT OF EVIDENCE
PURSUANT TO FRAP 10(c)

TO THE HONORABLE JUDGE KEITH STARRETT

RESPONSE TO ORDER 289 BY AFFIDAVIT

COMES NOW, LINDA BOLTON, PRO SE PRISONER AND SUBMITS THIS AFFIDAVIT
responding pro se (as instructed by the Hon. Judge Starrett).

- 1) Linda Bolton is past the age of majority and presents the following information as facts to be placed in evidence, there being no transcript of the following information.
- 2) Attorneys Paul Holmes and attorney James Dukes initially represented Linda Bolton from March 2016 and June 2016 respectively through mid June, 2016.
- 3) In mid July 2016, the Honorable Judge Starrett, after a hearing, disqualified both of the defendant Linda Bolton's attorneys (Paul Holmes and James Dukes) because the prosecutor said they would be "witnesses".
- 4) Neither attorney was called as witnesses during the trial or the sentencing.
- 5) After the attorneys (Holmes and Dukes) were disqualified, Defendant Linda Bolton was given ten (10) days to obtain new counsel, by the Honorable Judge Starrett.
- 6) Defendant's family retained Attorney Lisa Ross; Ms. Ross had a call with Judge Starrett and by early August made an official appearance on Linda Bolton's case (along with her associate Carlos Tarnier). They did nothing on behalf of the case that Linda Bolton is aware of; never appeared in court; filed no motions Linda Bolton is aware of except for a Continuance for More Time though they met briefly with defendant.

- 7) Attorney Lisa Ross recommended attorney Robert McDuff to represent Linda Bolton and Attorney McDuff replaced Lisa Ross and Carlos Tanner approximately the end of August, 2016.
- 8) Attorney Robert McDuff represented Linda Bolton during trial and sentencing.
- 9) In the middle of sentencing, Attorney Robert McDuff passed out; fell on the floor; but refused treatment.
- 10) After a very short break, approximately 15 minutes, Judge Starrett asked Attorney McDuff if he was okay to proceed.
- 11) Attorney McDuff said "he was fine"; did not ask for a continuance; neither was any continuance recommended/granted by Honorable Judge Keith Starrett.
- 12) Linda Bolton was upset feeling that Sentencing was a critical stage requiring her attorney's full attention and best frame of mind, but could not make him seek medical help.
- 13) After sentencing, Linda Bolton relieved Attorney McDuff of his duties. He was no longer to represent her or submit any filings on her behalf; or make decisions on her criminal case.
- 14) As of now, in the District Court, Linda Bolton has only two attorneys who are authorized to represent her and to file on her behalf. Those attorneys are Mary Lee Holmes and Ursula Mitchell. Both Attorney Mary Lee Holmes and Attorney Ursula Mitchell joined defendant Linda Bolton's criminal defense in April of 2017 and remain through the present.

All the foregoing is true and accurate to the best of my knowledge and belief and I make these statements under penalty of perjury pursuant to 28 U.S.C. §1746.

Respectfully Submitted by Email and U.S. Mail on this 11th day of July, 2017.

Linda Bolton

Linda Bolton #19739-043
Without prejudice UCC 1-308
PRO SE SUBMISSION
Satellite Prison Camp
P.O. Box 487
Aliceville, AL 35442

WITNESSED BY:

Tiffany Brown
Tiffany Brown #20230-043

Lisa Lee
Lisa Lee #55562-019

Patrice Hairston
Patrice Hairston #64704-019

7-11-17

7-11-17

7-11-17

CERTIFICATE OF SERVICE

This is to certify, under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. §1746, that I have served a true and correct copy of the foregoing:

STATEMENT OF EVIDENCE PURSUANT TO FRAP 10(c)
RESPONSE TO ORDER 289
(WITNESSED)

upon the following address(es) by placing same in a sealed envelope, bearing sufficient postage for delivery via the United States Postal Service, to:

Hon. District Judge Keith Starrett
701 N. Main St., Suite 228
Hattiesburg, MS 39401

Email: starrett_chambers@mssd.uscourts.gov

and deposited it in the postal box provided for inmates on the grounds of the Federal Correctional Institution, Aliceville, AL on this 11th day of July, 2017.


Signature

Register No. 19739-043, LINDA BOLTON, PRO SE
Federal Correctional Institution-Aliceville
Satellite Prison Camp (SPC)
P.O. Box 487
Aliceville, AL 35442

Litigation is deemed FILED at the time it was delivered to prison authorities.
See Houston v. Lack, 487 US 266, 101 L Ed 2d 245, 108 S Ct 2379 (1988)

Note to Court: Upon review of my filing, I realize that I misstated one fact. Please accept this SUPPLEMENTAL filing to item 13 of the STATEMENT OF EVIDENCE PURSUANT TO FRAP 10(c) as follows:

13. After sentencing, Linda Bolton relieved Attorney McDuff of his duties. EXCEPT FOR the filing of the NOTICE OF APPEAL, (which he was authorized to file). After the NOTICE OF APPEAL, he was no longer to represent her or submit filings on her behalf; or make decisions on her criminal case.

This replaces item 13 (page 2) of the STATEMENT OF EVIDENCE submitted for email filing to the chambers of the Honorable Keith Starrett. All other portions of the STATEMENT OF EVIDENCE shall remain in full force and effect and the paper copies which have been mailed contain this correction.

Respectfully submitted,
/s/ Linda Bolton 19739-043
PRO SE SUBMISSION
without prejudice UCC 1-308